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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,122	09/28/2001	Jerlyn R. Culp	10017934-1	4439

7590 06/14/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/966,122

Applicant(s)

CULP ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,14-17 and 20-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,14-17 and 20-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4/11/05. 6) ☐ Other: \_\_\_\_\_

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***Claim Status:***

Claims 1-3, 5-11, 14-17 and 20-30 are pending. Claims 4, 12, 13, 18 and 19 have been canceled. Claims 1-3, 5-11, 14-17 and 20-30 are rejected as detailed below.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3, 8-11, 14, 16, 17, 20-24 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No. US 2003/0063072 to Brandenburg et al (hereafter Brandenburg) in view of Pub. No. US 2002/0184321 issued to Fishman et al (hereafter Fishman).

Claims 1 and 20:

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Brandenberg discloses:

an interface configured to receive a calendar source list [tabular representation of digital content, Fig 1I, paragraphs 652 and 653] and a calendar database generated by a first party, the calendar source list comprising:

type [Brandenberg, type 371 - Fig 1I, paragraph 380], identification [Brandenberg, digital content ID - Fig 1I, 365], format source identifier [HTML, paragraph 261]

a native format [paragraph 557]

a delivery method [broadcast or narrowcast, paragraph 264]

wherein a source includes information compiled by an organization-of-interest to the first party [Table 1I, 397, user's soccer team, paragraph 657]

a collection and distribution unit [HTML/XML server 127, Fig 1B, paragraph 261] for accessing the source and retrieving calendar data in accordance with said calendar source list via said interface

Brandenberg discloses the elements of the invention as noted above but does not disclose logic configured to incorporate retrieved calendar data into the calendar database associated with the first party to generate an updated calendar database, and configured to deliver the updated calendar database to the first party in accordance with information residing in the calendar source list. Fishman discloses logic configured to incorporate retrieved calendar data into the calendar database associated with the first party to generate an updated calendar database, and configured to deliver the updated calendar database to the first party in accordance with information residing in the calendar source list [Fig 4, paragraph 33]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brandenberg to include

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logic configured to incorporate retrieved calendar data into the calendar database associated with the first party to generate an updated calendar database, and configured to deliver the updated calendar database to the first party in accordance with information residing in the calendar source list as taught by Fishman for the purpose of inviting a person to an event scheduled by an other user of the network system. The skilled artisan would have been motivated to modify Brandenburg per the above such that a visual record of an invitation can be produced on the invitee's handheld digital device.

Furthermore, Fishman discloses the calendar database comprising information reflecting the schedule of the first party [Fishman, Fig 6]

Claim 3:

The combination of Brandenburg and Fishman discloses the elements of claim 1 as noted above and furthermore, Brandenburg discloses said calendar database is associated with a subscribing party and integrates calendar information from an unrelated calendar source [paragraphs 7 and 8].

Claim 8:

The combination of Brandenburg and Fishman discloses the elements of claims 1 and 3 as noted above and furthermore, Brandenburg discloses logic configured to transfer calendar information in accordance with the delivery format and delivery method [paragraph 659]

Claim 9:

The combination of Brandenburg and Fishman discloses the elements of claims 1, 3 and 8 as noted above and furthermore, Brandenburg discloses said interface comprises a wireless interface [Fig 1B, cellular communications 131, paragraph 261].

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Claim 10:

The combination of Brandenburg and Fishman discloses the elements of claims 1, 3 and 8 as noted above, and furthermore, Brandenburg discloses a LAN [local area wireless network, paragraph 262].

Claim 11:

The combination of Brandenburg and Fishman discloses the elements of claims 1, 3 and 8 as noted above, and furthermore, Brandenburg discloses a wide area network [Internet and WWW, paragraph 370].

Claim 14:

The combination of Brandenburg and Fishman discloses the elements of claim 1 as noted above, and furthermore, Brandenburg discloses text format data [paragraph 400].

Claim 16:

The combination of Brandenburg and Fishman discloses the elements of claim 1 as noted above, and furthermore, Brandenburg discloses html format data [HTML/XML server 127, Fig 1B, paragraph 261].

Claim 17:

The combination of Brandenburg and Fishman discloses the elements of claim 1 as noted above, and furthermore, Brandenburg discloses specifying a World Wide Web address [paragraph 370].

Claim 21:

The combination of Brandenburg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenburg discloses integrating information from the calendar

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information comprises identifying the calendar information type [Brandenberg, type 371 - Fig 1I, paragraph 380].

Claim 22:

The combination of Brandenberg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenberg discloses integrating calendar information comprises identifying a receive format [HTML etc., paragraph 400].

Claim 24:

The combination of Brandenberg, Fishman and Berenson discloses the elements of claim 20 as noted above, and furthermore, Brandenberg discloses integrating information from the source comprises identifying a calendar source location on a network [Table 1I, 397, user's soccer team, paragraph 657].

Claim 27:

The combination of Brandenberg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenberg discloses a wireless medium [Fig 1B, 131]

Claim 28:

The combination of Brandenberg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenberg discloses transmitting a representation of the composite calendar via a wired medium [Fig 1B, 133]

Claim 29:

The combination of Brandenberg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenberg discloses forwarding the composite calendar comprises transmitting a representation of the composite calendar [paragraph 657]

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Claim 30:

The combination of Brandenburg and Fishman discloses the elements of claim 20 as noted above, and furthermore, Brandenburg discloses forwarding the composite calendar comprises conveying a representation of the composite calendar [paragraph 657]

Claim        rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brandenburg and Fishman as applied to claims 20 and 22 above, and further in view of Pub No US 2001/0049617 issued to Berenson et al.

Claim 23:

The combination of Brandenburg and Fishman discloses the elements of claims 20 and 22 as noted above but does not disclose wherein the receive format is different from the delivery format. Berenson discloses wherein the receive format is different from the delivery format [system sends event schedule in proper format for a user [paragraph 33]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the receive format is different from the delivery format as taught by Berenson for the purpose of ensuring that the user is able to receive the message [paragraph 33]. The skilled artisan would have been motivated to improve the above combination of references such that the user is able to receive information from publicly-posted event schedules [paragraph 17].



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Claims 2, 5-7, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brandenburg and Fishman and further in view of US Pat No 5,761,525 issued to Williams (hereafter Williams).

Claim 2:

The combination of Brandenburg and Fishman discloses the elements of claim 1 as noted above but fails to disclose capturing calendar information via optical character recognition.

Williams discloses capturing calendar information via optical character recognition [Fig 3B, step 250, Fig 1, 118]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Brandenburg and Berenson to include capturing calendar information via optical character recognition as taught by Williams for the purpose of inputting data which can be read by the processor [col 2, lines 60-65]. The ordinarily skilled artisan would have been motivated to modify the combination of Brandenburg and Berenson per the above such that a non-manual means of data entry can be used and therefore, data entry is accelerated and made more accurate.

Claim 5:

The combination of Brandenburg, Fishman and Williams discloses the elements of claims 1 and 2 as noted above and furthermore, Williams discloses a scanner [Fig 1, 118]

Claim 6:

The combination of Brandenburg, Fishman and Williams discloses the elements of claims 1 and 2 as noted above and furthermore, Williams discloses wherein said logic is configured to convert said image information into a data file [col 4, lines 11-21]

Claim 7:

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The combination of Brandenburg, Fishman and Williams discloses the elements of claims 1 and 2 as noted above and furthermore, Williams discloses wherein logic is configured to convert said image information into text [col 4, lines 11-21]

Claim 25:

The combination of Brandenburg and Fishman discloses the elements of claim 20 as noted above but fails to disclose integrating information from the source comprises scanning image information from a representation of a calendar. Williams discloses capturing calendar information via optical character recognition [Fig 1, 118, Fig 3B, step 250]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Brandenburg and Fishman to include capturing calendar information via optical character recognition as taught by Williams for the purpose of inputting data which can be read by the processor [col 2, lines 60-65]. The ordinarily skilled artisan would have been motivated to modify the combination of Brandenburg and Berenson per the above such that a non-manual means of data entry can be used and therefore, data entry is accelerated and made more accurate.

Claim 26:

The combination of Brandenburg, Fishman and Williams discloses the elements of claims 20 and 25 as noted above and furthermore, Williams discloses translating the image information into the native format [col 4, lines 11-21].

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brandenburg and Fishman and further in view of US Pat No 6,760,728 to Osborn (hereafter Osborn).

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Claim 15:

The combination of Brandenburg and Berenson discloses the elements of claim 1 as noted above but fails to disclose vCard compliant data. Osborn discloses vCard compliant data [col 8, lines 40-67]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Brandenburg and Berenson to include vCard compliant data as taught by Osborn for the purpose of using formats native to calendaring devices [abstract]. The skilled artisan would have been motivated to modify the combination of Brandenburg and Berenson per the above such that industry-accepted formats can be used for electronic mail [abstract].

***Response to Arguments***

Applicant's arguments filed 4/11/05, have been fully considered but they are not persuasive.

**Applicant Argues:**

Applicant states in the paragraph joining pages 11 and 12 “However, Applicants note that Berenson discloses that ‘the user may indicate what kind of calendar the user has so the system may send the event schedule entry in the proper format.’ Clearly, Berenson fails to disclose, suggest or teach delivering ‘the updated calendar database in the native format’ as recited in claim 1. Nor does Brandenburg disclose, suggest or teach either the features of generating ‘an updated calendar database’ or delivering ‘the updated calendar database to the first party in accordance with the information residing in the calendar source list.’”

**Examiner Responds:**

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Examiner is not persuaded. Consider above comment that Berenson does not disclose, suggest or teach delivering 'the updated calendar database to the first party in the native format.' Examiner is confused because Applicant amended claim 1 to remove the phrase "in the native format." from the above limitation. Clearly, "in the native format is no longer relevant to claim 1." However, considering the gist of the present invention, examiner notes paragraph 17 of the specification of the present invention includes the following:

The obtained calendar information may be converted into a standard format, for example a format native to a particular subscriber unit or calendar database, prior to distribution. The information may be selectively or fully processed to, for example, sort or otherwise organize the calendar information so as to place it into a desired format for distribution to a user.

Brandenberg discloses the following in paragraphs 400, 553 and 554:

0400] While Macromedia Flash is a complete solution, other language and data formats may be used. Other language formats include but are not limited to HTML, DHTML, CHTML, WML and Apple QuickTime. Other data formats include, but are not limited to plain text, MP3, WAV, MIDI, JPEG, GIF and PNG.

[0553] 3.G.1. E-Mail: The e-mail mode of communication is one in which text messages are keyed in by one user and communicated in a text form over network 11 to a designated recipient. The e-mail mode of communication on network 11 utilizes conventional e-mail formats and protocols. E-mail messages may be accumulated and saved in an electronic in-box, whereby the e-mail messages may be read at the leisure and convenience of the recipient.

[0554] 3.G.2. Instant messaging: The instant messaging mode of communication is one in which text messages are keyed in by one user and delivered immediately to the recipient user if the recipient user's appliance is in an IM receipt mode. IM messages received while in the IM receipt mode subordinate other content on the recipient's appliance. Thus, IM is considered "hotter" than e-mail. It is desirable that the IM mode of communication on network 11 utilizes conventional IM formats and protocols.

Examiner maintains that the disclosure by Brandenburg of well-known data formats such as HTML, DHTML, CHTML, WML and Apple QuickTime. Other data formats include, but are

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not limited to plain text, MP3, WAV, MIDI, JPEG, GIF and PNG reads on the claimed “native formats.”

**Applicant Argues:**

Applicant presents the same arguments as above when considering claims 20-24 and 27-30.

**Examiner Responds:**

Applicant is referred to above response by examiner.

***Conclusion***

Applicant's submission of the requirements for the joint research agreement prior art exclusion under 35 U.S.C. 103(c) on 4/11/2005 prompted the new ground(s) of rejection under 37 CFR 1.109(b) presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.02(l)(3). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

5/31/2004

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**

acceptable  
EPK 6/1/05

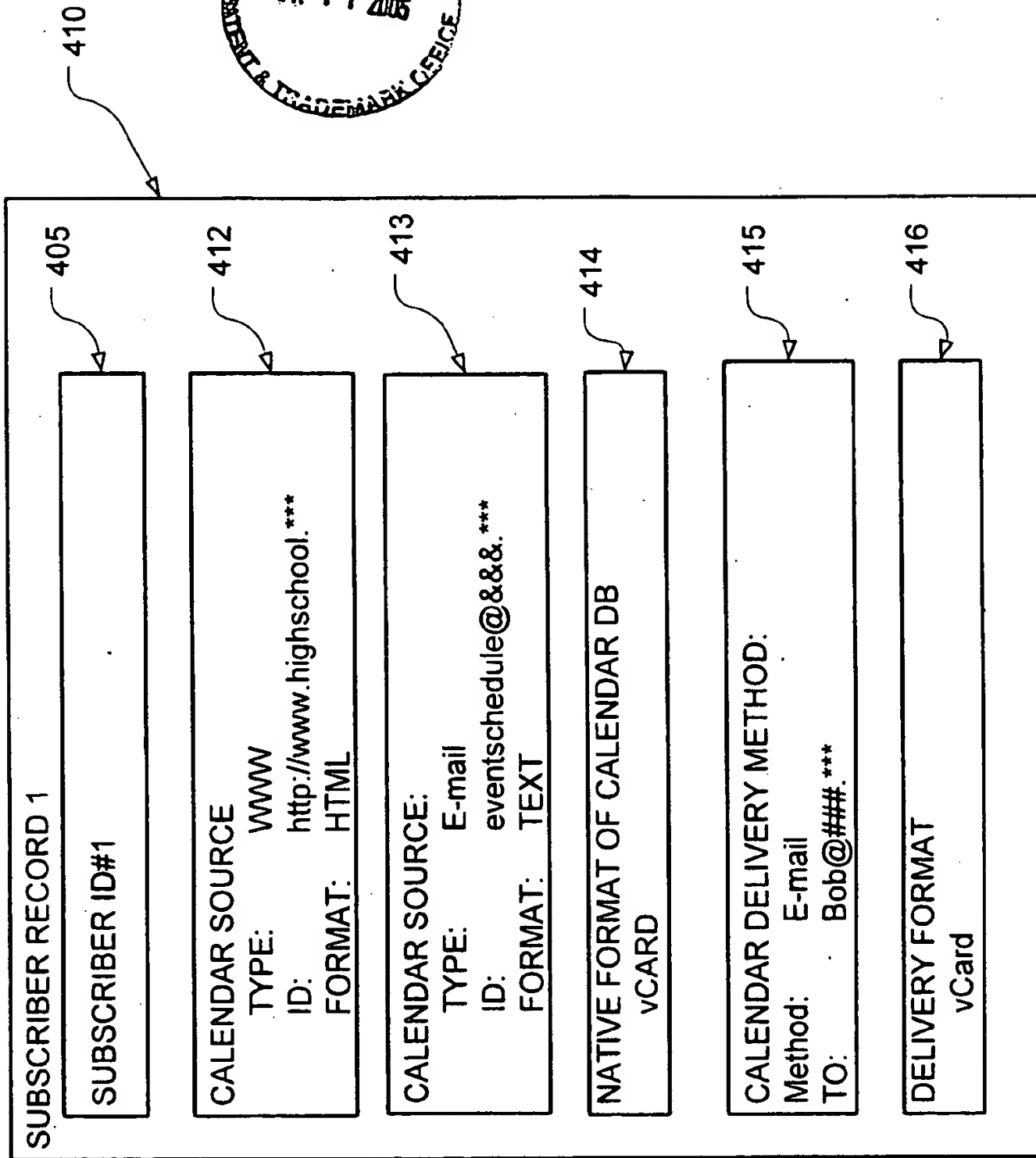


FIG. 4B